

APPLICATION FOR NOMINATION TO JUDICIAL OFFICE

APPLICATION INSTRUCTIONS

1. **This application is a public record. As such, all information except that specifically denoted herein as confidential (Section II) is available for public inspection and may be posted at the commission's website. Additionally, completed applications, including the confidential portion, are forwarded to the Governor upon nomination by the Commission.**
2. Do not include these instructions or the Judicial Vacancy Announcement with the completed application form.

Applicants are encouraged to download or request the application form in electronic format. To download the form, go to the Judicial Department website (<http://www.azcourts.gov/jnc>), choose "Apply for a Vacancy," then select the correct form. To receive the form on disk, bring or mail a disk to the Human Resources Division, Administrative Office of the Courts, 1501 W. Washington, Suite 221, Phoenix, AZ 85007. Office hours are 8 a.m. to 5 p.m. If mailed, include with the disk a self-addressed disk mailer. The disk will be mailed or available for pick-up within 24 hours of receipt. To request the form via e-mail, send your request to: jnc@courts.az.gov.

3. Completely answer all questions. If a question does not apply, write "Not applicable" in the space provided. If information is not available, write "Not available" and state the reason(s) the information is not available. Sign the Waiver Of Confidentiality and Release of Information Sheet.
4. Make 5 double-sided copies of the application and all attachments. For these 5 copies, copy all materials on both sides of the page.

Make one single-sided copy of the application and all attachments. For this copy, copy all materials only on one side of the page.

All of the copies, including the single-sided copy, should be bound with a rubber band or clip. **They should not be bound in any other way, should not be submitted in notebooks, should not have covers attached, and should not contain tabs.** Sections or attachments may be identified with separator sheets.

The original application is sent to the Governor if an applicant is nominated. It may be bound and may include tabbed sections, at the applicant's discretion.

Filing Date: _____

5. Submit the application with the original signature, plus the 5 double-sided copies and one single-side copy, by 3:00 p.m. on _____, to:

Administrative Office of the Courts
Human Resources Division
1501 W. Washington, Suite 221
Phoenix, AZ 85007

The Administrative Office of the Courts cannot be responsible for applications not received; if the U.S. mail is used, applications should be sent by registered or certified mail, return receipt requested. If you would like acknowledgment of receipt of the application, enclose a self-addressed, stamped envelope.

6. The deadline for applications is stated in the Judicial Vacancy Announcement and at the top of the application form. Applications should be submitted by the stated deadline.

INSTRUCTIONS FOR LETTERS OF REFERENCE AND TELEPHONE CALLS

The commission welcomes and needs written assessments of the applicants' skills, expertise, ethics and any other characteristic relevant to an individual's potential for a judgeship. Many applicants solicit letters of reference supporting their efforts at a judgeship. However, applicants are advised "more" is not necessarily "better." The commissioners feel that ten to twelve substantive letters of reference are usually adequate to give the commission an insight into what others think about the applicant.

Letters regarding applicants should be sent to the commission in care of the Human Resources Division, Administrative Office of the Courts, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, as opposed to individual commission members. All letters timely submitted to that address will be forwarded to all commissioners.

The commission also welcomes telephone calls to individual commissioners where an individual can provide candid insight into the qualifications of an applicant. However, the commission does not need or desire "phone banks" on behalf of applicants and reminds the applicant again that more is not necessarily better.

Applicants should not personally contact commissioners regarding their application during the nomination process. Commissioners cannot individually interview applicants or commit in advance to vote for any applicant.

INSTRUCTIONS FOR INTERVIEWS

Subject to applicable rules, applicants are interviewed in public session. However, in fairness to one's fellow applicants, an applicant who is assigned a later interview time should not be present at interviews of other applicants conducted before such applicant's designated interview time or otherwise seek out or accept information regarding questions asked of applicants during the interviews.

SUMMARY OF THE NOMINATION PROCESS

1. **Application Period**: The commission announces the vacancy. The press release announcing the vacancy advises where applications forms can be obtained and the deadline for submitting applications. Potential applicants are given a Judicial Vacancy Announcement, which provides specific information about the nomination process for that particular vacancy.
2. **Public Notice**: The date, time and location of the commission's screening meeting are usually given in the Judicial Vacancy Announcement. The names of applicants are made available to the public. The public is invited to attend the screening meeting and may submit oral or written comments. Section I (public portion) of all applications may be posted on the commission's website.
3. **Screening Meeting**: At the screening meeting the commission reviews all applications received and the results of any investigation conducted by commissioners. Voting to determine the applicants to be interviewed is conducted in public session.
4. **Notification to Applicants**: Applicants selected for interview are notified by telephone and letter of the date, time and location of the interviews. Applicants not selected for interview are notified by letter.
5. **Public Notice**: The commission announces the names of the applicants to be interviewed and invites oral or written public comment regarding their qualifications.
6. **Investigation**: Further investigation of the applicants to be interviewed is conducted. The credit, criminal, and professional discipline histories of the applicants are requested, and the results are given to the commissioners. The commissioners seek comments from judges, attorneys and the community.
7. **Interviews**: Subject to applicable rules, the applicant is interviewed in public session. After all the interviews are completed the commission discusses the relative qualifications of all the applicants. Voting to determine the nominees to be submitted to the Governor is conducted in public session.
8. **Nominations**: The names of at least three nominees for each vacancy are submitted to the Governor. The nominees are listed in alphabetical order without any indication of preference by the commissioners. Each nominee's original application and any letters or written public comments on file are forwarded to the Governor.

9. **Public Notice:** The names of the nominees are announced. Each nominee's age, city of residence, political party registration and current employment are included in the announcement.
10. **Records Retention:** The commissioners' personal notes are not public information. The original application is maintained and destroyed pursuant to Rule 7, Rules of Procedure for the Commissions on Appellate and Trial Court Appointments. All letters regarding an applicant not appointed by the Governor are kept on file for six months in the event the applicant applies for another vacancy within the six-month period, in which case the letters are copied and forwarded to all commissioners. Otherwise, the letters are destroyed at the end of the six-month retention period set forth in Rule 7.
11. **Minutes:** Minutes of all commission meetings are available on request for five years from the date the names of nominees are submitted to the Governor.

APPLICATION FOR NOMINATION TO JUDICIAL OFFICE

This original application, 5 double-sided copies and one (1) single-sided copy must be filed with the Human Resources Division, Administrative Office of the Courts, 1501 W. Washington, Suite 221, Phoenix, AZ, 85007, no later than 3:00 p.m. on _____. Read the application instructions thoroughly before completing this application form. The fact that you have applied is not confidential, responses to Section I of this application are made available to the public, and the information provided may be verified by Commission members. The names of applicants, interviewees and nominees are made public, and Commission files pertaining to nominees are provided to the Governor for review. This entire application, including the confidential portion (Section II), is forwarded to the Governor upon nomination by the Commission.

SECTION I: PUBLIC INFORMATION (QUESTIONS 1 THROUGH 71)

PERSONAL INFORMATION

1. Full Name:
2. Have you ever used or been known by any other legal name? _____. If so, state name:
3. Office Address:
4. Have you been a resident of Arizona for the past five years?
5. Have you been a resident of Maricopa County for the past year?

Filing Date: _____

6. Age:

(The Arizona Constitution, Article VI, §§22 and 37, require that judicial nominees be 30 years of age or older before taking office and younger than age 65 at the time the nomination is sent to the Governor.)

7. List your present and former political party registrations and approximate dates of each:

(The Arizona Constitution, Article VI, §37, requires that not all nominees sent to the Governor be of the same political affiliation.)

8. Gender: _____ Race/Ethnicity: ☐ White
☐ Hispanic or Latino (of any race)
☐ Black or African American
☐ American Indian or Alaska Native
☐ Asian
☐ Native Hawaiian/Pacific Islander
☐ Other: _____

(The Arizona Constitution, Article VI, §§36 and 41, require that the Commission consider the diversity of the state's or county's population in making its nominations. However, the primary consideration shall be merit.)

EDUCATIONAL BACKGROUND

9. List names and locations of schools attended (college, advanced degrees and law), dates attended and degrees.

10. List major and minor fields of study and extracurricular activities.

11. List scholarships, awards, honors, citations and any other factors (e.g., employment) you consider relevant to your performance during college and law school.

Filing Date: _____

PROFESSIONAL BACKGROUND AND EXPERIENCE

12. List all courts in which you have been admitted to the practice of law with dates of admission. Give the same information for administrative bodies, which require special admission to practice.
13. a. Have you ever been denied admission to the bar of any state due to failure to pass the character and fitness screening?_____ If so, explain.
- b. Have you ever had to take a bar examination more than once in order to be admitted to the bar of any state?_____ If so, explain.
14. Indicate your employment history since completing your formal education. List your current position first. If you have not been employed continuously since completing your formal education, describe what you did during any periods of unemployment or other professional inactivity in excess of three months. Do not attach a resume.

EMPLOYER

DATES

LOCATION

15. List your current law partners and associates, if any. You may attach a firm letterhead or other printed list. Applicants who are judges should attach a list of judges currently on the bench in the court in which they serve.
16. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.
17. List other areas of law in which you have practiced.
18. Indicate any specialties for which you have applied for certification by the State Bar of Arizona and the results of that or of those applications.
19. Describe your typical clients.
20. Have you served regularly in a fiduciary capacity other than as a lawyer representing clients? If so, give details.

Filing Date: _____

21. Describe your experience as it relates to negotiating and drafting important legal documents, statutes and/or rules.

22. Have you practiced in adversary proceedings before administrative boards or commissions? _____ If so, state:

a. The agencies and the approximate number of adversary proceedings in which you appeared before each agency.

b. The approximate number of these matters in which you appeared as:

Sole Counsel: _____

Chief Counsel: _____

Associate Counsel: _____

23. Have you handled any matters that have been arbitrated or mediated? _____
If so, state the approximate number of these matters in which you were involved as:

Sole Counsel: _____

Chief Counsel: _____

Associate Counsel: _____

24. List not more than three contested matters you negotiated to settlement. State as to each case: (1) the date or period of the proceedings; (2) the names, addresses (street and e-mail) and telephone numbers of all counsel involved and the party each represented; (3) a summary of the substance of each case: and (4) a statement of any particular significance of the case. You may reveal nonpublic, personal, identifying information relating to client or litigant names or similar information in the confidential portion of this application.

25. Have you represented clients in litigation in Federal or Arizona trial courts?
_____ If so, state:

The approximate number of cases in which you appeared before:

Federal Courts: _____

State Courts of Record: _____

Filing Date: _____

Municipal/Justice Courts: _____

The approximate percentage of those cases which have been:

Civil: _____

Criminal: _____

The approximate number of those cases in which you were:

Sole Counsel: _____

Chief Counsel: _____

Associate Counsel: _____

The approximate percentage of those cases in which:

You conducted extensive discovery¹: _____

You wrote and filed a motion for summary judgment: _____

You wrote and filed a motion to dismiss: _____

You argued a wholly or partially dispositive pre-trial, trial or post-trial motion (e.g., motion for summary judgment, motion for a directed verdict, motion for judgment notwithstanding the verdict): _____

You made a contested court appearance (other than as set forth in above response) _____

You negotiated a settlement: _____

The court rendered judgment after trial: _____

A jury rendered verdict: _____

Disposition occurred prior to any verdict: _____

¹Extensive discovery is defined as discovery beyond standard interrogatories and depositions of the opposing party.

The approximate number of cases you have taken to trial:

Court _____

Note: If you approximate the number of cases taken to trial,
explain why an exact count is not possible.

Jury _____

26. Have you practiced in the Federal or Arizona appellate courts? _____ If so,
state:

The approximate number of your appeals which have been:

Civil: _____

Criminal: _____

The approximate number of matters in which you appeared:

As counsel of record on the brief: AZ _____ U.S. _____

Personally in oral argument: AZ _____ U.S. _____

27. Have you served as a judicial law clerk or staff attorney to a court? _____ If so,
state the name of the court and dates of service, and describe your experience.
28. List not more than five cases you litigated or participated in as an attorney before
mediators, arbitrators, administrative agencies, trial courts or appellate courts.
State as to each case: (1) the date or period of the proceedings; (2) the name of
the court or agency and the name of the presiding judge or officer before whom
the case was heard; (3) the names, addresses (street and e-mail) and telephone
numbers of all counsel involved and the party each represented; (4) a summary
of the substance of each case; and (5) a statement of any particular significance
of the case. You may reveal nonpublic, personal, identifying information relating
to client or litigant names or similar information in the confidential portion of this
application.
29. If you now serve or have previously served as a mediator, arbitrator, part-time or
full-time judicial officer, or quasi-judicial officer (e.g., administrative law judge,
hearing officer, member of state agency tribunal, member of State Bar
professionalism tribunal, member of military tribunal, etc.), give dates and details,
including the courts or agencies involved, whether elected or appointed, periods
of service and a thorough description of your assignments at each court or
agency. Include information about the number and kinds of cases or duties you
handled at each court or agency (e.g., jury or court trials, settlement conferences,
contested hearings, administrative duties, etc.).

Filing Date: _____

30. List not more than five cases you presided over or heard as a judicial or quasi-judicial officer, mediator or arbitrator. State as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) the names, addresses (street and e-mail) and telephone numbers of all counsel involved and the party each represented; (4) a summary of the substance of each case; and (5) a statement of any particular significance of the case. You may reveal nonpublic, personal, identifying information relating to client or litigant names or similar information in the confidential portion of this application.
31. Describe any additional professional experience you would like to bring to the Commission's attention.

BUSINESS AND FINANCIAL INFORMATION

32. Have you ever been engaged in any occupation, business or profession other than the practice of law or holding judicial or other public office, other than as described at question #14? _____ If so, give details, including dates.
33. Are you now an officer, director or majority stockholder, or otherwise engaged in the management, of any business enterprise? _____ If so, give details, including the name of the enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service.

Is it your intention to resign such positions and withdraw from any participation in the management of any such enterprises if you are nominated and appointed? _____ If not, give reasons.

34. Have you filed your state or federal income tax returns for all years you were legally required to file them? _____ If not, explain.
35. Have you paid all state, federal and local taxes when due? _____ If not, explain.
36. Are there currently any judgments or tax liens outstanding against you? _____ If so, explain.

Filing Date: _____

37. Have you ever violated a court order including but not limited to an order for payment of child or spousal support? _____ If so, explain.
38. Have you ever been a party to a lawsuit, excluding divorce? _____ If so, indicate nature of lawsuit, whether you were a plaintiff or defendant, disposition of case and location of lawsuit.
39. Do you have any financial interests, investments or retainers that might conflict with the performance of your judicial duties? _____ If so, explain.

CONDUCT AND ETHICS

40. Have you ever been expelled, terminated, or suspended from employment, or any school or course of learning on account of plagiarism, cheating or any other "cause" that might reflect in any way on your integrity? _____ If so, give details.
41. Are you currently charged with or have you ever been arrested for or convicted of any felony, misdemeanor (other than a minor traffic offense), or violation of the Uniform Code of Military Justice? _____ If so, give details.
42. If you performed military service, please indicate the date and type of discharge. If other than honorable discharge, explain.
43. List and describe any litigation (including mediation, arbitration, negotiated settlement and/or malpractice claim you referred to your insurance carrier) concerning your practice of law.
44. List and describe any litigation involving an allegation of fraud in which you were or are a defendant.
45. List and describe any sanctions imposed upon you by any court for violation of any rule or procedure, or for any other professional impropriety.
46. To your knowledge, has any formal charge of professional misconduct ever been filed against you by the State Bar or any other official attorney disciplinary body

Filing Date: _____

- in any jurisdiction? _____ If so, when? How was it resolved?
47. Have you received a notice of formal charges, cautionary letter, private admonition or other conditional sanction from the Commission on Judicial Conduct or any other official judicial disciplinary body in any jurisdiction? _____ If so, in each case, state in detail the circumstances and the outcome.
48. During the last 10 years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by Federal and State laws? _____ If your answer is "Yes," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by Federal law provisions.)
49. In the past year, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as a result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? _____ If so, state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.
50. Within the last five years, have you ever been formally reprimanded, demoted, disciplined, cautioned, placed on probation, suspended or terminated by an employer? _____ If so, state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the back ground and resolution of such action.
51. Have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a complaint or accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? _____ If so, state the date(s) of such accusation(s), the specific accusation(s) made, and the background and resolution of such action(s).
52. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? _____ If so, state the date you were requested to submit to such a test, type of test requested, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test.
53. Within the last five years, have you failed to meet any deadline imposed by a court order or received notice that you have not complied with the substantive requirements of any business or contractual arrangement? _____ If so, explain

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in full.

54. Have you ever been a party to litigation alleging that you failed to comply with the substantive requirements of any business or contractual arrangement, including but not limited to bankruptcy proceedings? _____ If so, explain in full.

PROFESSIONAL AND PUBLIC SERVICE
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55. Have you published any legal or non-legal books or articles? _____ If so, list with the citations and dates.
56. Are you in compliance with the continuing legal education requirements applicable to you as a lawyer or judge? _____ If not, explain.
57. Have you taught any courses on law or lectured at bar associations, conferences, law school forums or continuing legal education seminars? _____ If so, describe.
58. List memberships and activities in professional organizations, including offices held and dates.

Have you served on any committees of any bar association (local, state or national) or have you performed any other significant service to the bar? _____

List offices held in bar associations or on bar committees. Provide information about any activities in connection with pro bono legal services (defined as services to the indigent for no fee), legal related volunteer community activities or the like.

59. Describe the nature and dates of any community or public service you have performed that you consider relevant.
60. List any professional or civic honors, prizes, awards or other forms of recognition you have received.
61. List any elected or appointed offices you have held and/or for which you have been a candidate, and the dates.

Filing Date: _____

Have you been registered to vote for the last 10 years? _____

Have you voted in all general elections held during those years? _____ If not, explain.

62. Describe any interests outside the practice of law that you would like to bring to the Commission's attention.

HEALTH

63. Are you physically and mentally able to perform the essential duties of a judge in the court for which you are applying? _____

ADDITIONAL INFORMATION

64. The Arizona Constitution requires that the Commission consider the diversity of the state's or county's population in making its nominations. Provide any information about yourself (your heritage, background, experience, etc.) that may be relevant to this requirement.
65. Provide any additional information relative to your application or qualifications you would like to bring to the Commission's attention at this time.
66. If you were selected by this Commission and appointed by the Governor to serve, are you aware of any reason why you would be unable or unwilling to serve a full term? _____ If so, explain.
67. If selected for this position, do you intend to serve fully, including acceptance of rotation to areas outside your areas of practice or interest? _____ If not, explain.
68. Attach a brief statement explaining why you are seeking this position.
69. Attach a professional writing sample, which you personally drafted (e.g., brief or motion). The sample should be no more than a few pages in length. You may

Filing Date: _____

excerpt a portion of a larger document to provide the writing sample. Please redact any personal, identifying information regarding the case at issue, unless it is a published opinion, bearing in mind that the writing sample may be made available to the public on the commission's website.

70. If you have ever served as a judicial or quasi-judicial officer, mediator or arbitrator, attach sample copies of not more than two written orders, findings or opinions (whether reported or not) which you personally drafted. The writing sample(s) should be no more than a few pages in length. You may excerpt a portion of a larger document to provide the writing sample(s). Please redact any personal, identifying information regarding the case at issue, unless it is a published opinion, bearing in mind that the writing sample may be made available to the public on the commission's website.
71. If you are currently serving as a judicial officer in any court and are subject to a system of judicial performance review, please attach the public data reports and commission vote reports from your last two performance reviews.

**-- INSERT PAGE BREAK HERE TO START SECTION II
(CONFIDENTIAL INFORMATION) ON NEW PAGE --**

SECTION II: CONFIDENTIAL INFORMATION (QUESTIONS 72 THROUGH 86)

PERSONAL INFORMATION

72. Home Address:
73. E-mail Address:
74. Office Telephone:
75. Home Telephone:
76. Cell Phone Number:
77. FAX Number:
78. Date of Birth:
79. Place of Birth:
80. Social Security Number:
81. State Bar Number:
82. If your parents, siblings, spouse or children are employed or engaged in any business or profession, state their names and the name and address of their employer or the business in which they are engaged.

REFERENCES

83. List the names, addresses, telephone numbers and e-mail addresses of three references who are lawyers or judges, and who are familiar with your professional activities, who would enthusiastically recommend you as qualified to serve on the judiciary.
84. List the names, addresses, telephone numbers and e-mail addresses of three persons who are neither lawyers nor judges, with whom you have had contact other than professionally, who would enthusiastically recommend you as qualified to serve on the judiciary.
85. List the names, addresses, telephone numbers and e-mail addresses of four lawyers with whom you have continuously dealt on substantive matters as adversaries in the last five years. If you have been a full-time judicial or quasi-judicial officer for the last five years, list the names, addresses, telephone numbers and e-mail addresses of four lawyers who have frequently appeared before you in contested matters.
86. List the names, addresses, telephone numbers and e-mail addresses of three references who have served as fellow members of bar or professional association committees or activities, who would comment on your participation.
87. List the names, addresses, telephone numbers and e-mail addresses of three references who are or were fellow participants in community organizations or activities, who would comment on your participation.

-- INSERT PAGE BREAK AFTER ALL CONFIDENTIAL CONTENTS, TO START REMAINDER OF APPLICATION (INCLUDING ATTACHMENTS) ON NEW PAGE --

WAIVER OF CONFIDENTIALITY AND RELEASE OF INFORMATION

I _____ hereby authorize the committees of the State Bar of Arizona, all bar associations, references, employers, credit reporting agencies, business and professional associations, and all government agencies to release to the Commission any information requested by the Commission in connection with the processing of my request for consideration as a candidate for judicial office. I understand that the fact that I have applied and all responses provided in Section I of the application are not confidential and the information provided may be verified and is subject to public disclosure.

Upon submission of this application to the Commission, I expressly consent to the release of my name and the contents of Section I of this application to the public. Furthermore, I waive the benefits of any statute, rule, or regulation prescribing confidentiality of records or information that is disclosed in Section I. If the commission nominates me for a judicial appointment, I authorize the release of the information contained in my entire application file to the Governor of the State of Arizona.

All of the statements made in this application are true and correct to the best of my knowledge, and submission expresses my willingness to accept appointment to the judicial position for which I have applied, should I be selected by the Governor of the State of Arizona.

(Signature)

(Date)

Filing Date: _____